



December 21, 2010

Jeff S. Jordan
Complaints Examination and Legal Administration
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 6422

Dear Mr. Jordan:

This letter follows on a complaint sent October 25, 2010, which you notified me has been designated MUR 6422. Since I wrote my first letter, post-election reports have been filed and I have had the opportunity to review the one submitted by Missy Smith, as downloaded from the Commission's web site.

Two points are worth noting. First, Ms. Smith reports two contributions from Mr. Richard Retta. The first, dated October 26, 2010 was in the amount of \$2400. The second, dated, the same day, was in the amount of \$200. With this second contribution Mr. Retta exceeded the legally allowable amount. The campaign apparently accepted this excess contribution. The post-election report indicates that a refund in the amount of \$200 was made during the period from the day after the election through the end of the reporting period, but this refund is not itemized on Schedule B. If this was a refund of Mr. Retta's excess contribution, it should have been itemized as the initial contribution was itemized on Schedule A. If it was a different refund, the campaign held onto Mr. Retta's excess contribution for almost four weeks and possibly longer.

In addition, Ms. Smith's report shows a total of \$880 in in-kind contributions received from "Society for Truth and Justice." This at first seems to be a corporation, but it is not registered as such in the District of Columbia (see enclosed printout of a search from the database of the Department of Consumer and Regulatory Affairs). It may, however, be an unincorporated association taxed as a corporation. An internet search turned up no active web site of this "Society," but it appeared on a site (printout enclosed) as the payee for ordering materials promoted by Mr. Randall Terry.

Thus, the publicly available information is incomplete, but this Smith campaign contributor seems likely to be either a corporation (making an illegal corporate contribution), or a fictitious or trade name assumed by either Mr. Terry or another group he is involved with. In the latter

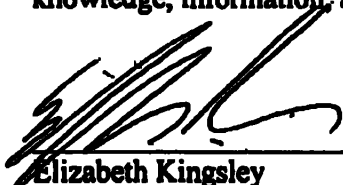
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case, I question whether the contribution is properly reported as coming from the Society, rather than disclosing the actual identify of the donor.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Elizabeth Kingsley

I, Leslie P. Kim, a Notary Public, hereby certify that on the 21 day of December, 2010, Elizabeth Kingsley appeared before me and signed the foregoing document, and has affirmed that the statements therein contained are true.


Notary Public

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 21 DAY OF December 2010

BY Elizabeth Jane Kingsley

NOTARY PUBLIC

Leslie P. Kim
Notary Public, District
My Commission Expires 9-01-20
1718 M St, NW W.D.C. 20036

11044302771


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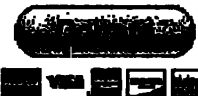
Excerpt:

**Can a Catholic vote in good conscience for a pro-choice candidate
in this Presidential election?**

**Answer: No. A Catholic cannot vote in good conscience
for a pro-choice candidate in this Presidential election.**

**John Paul II states: "In the case of an intrinsically
unjust law, such as a law permitting abortion
or euthanasia, it is therefore never licit to obey
it, or to 'take part in a propaganda campaign
in favour of such a law, or vote for it'". 73**

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Excerpt:

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"I am at a traffic light, and a man comes up to my window and says, 'Excuse me; I'm going to rob the bank, then shoot the teller so that he won't be able to testify against me at trial if I get caught. Would you please give me a ride to the bank?' I say, 'Sure, hop in...' and give him a ride to the bank, and he fulfills his promise. Given those facts, have I participated in the sin of theft and murder? The answer is: yes. In the eyes of God, and in the eyes of any court of law, I would be guilty of participating in the sin (and crime) of murder and robbery, *because I knew his intent.*"

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Excerpt...

"Are you offended yet? You should be!

There is no candidate Smith who supports slavery...

But if there was, would you betray your Christian faith to vote for him—even if you agreed on all the other issues?

Or would the candidate's support of slavery automatically disqualify him from holding office?

In other words: Would you be a "one issue" voter if the "one issue" was slavery?"

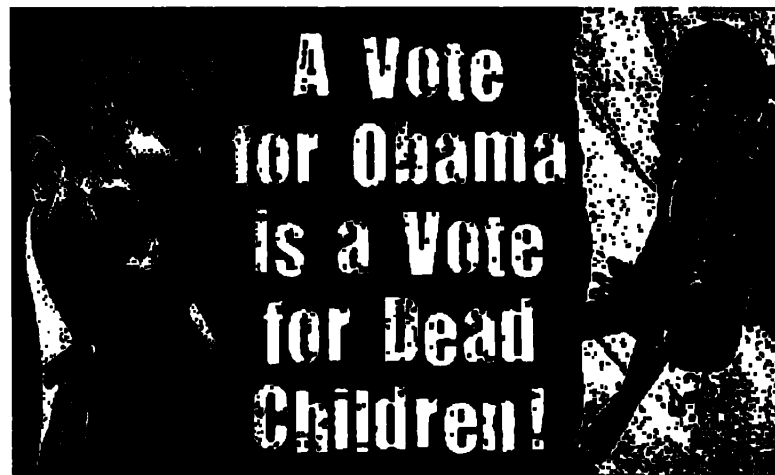
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